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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 SEP -2 AM 10: 14

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Miguel Angel ANGULO** Defendant.	Magistrate Case No.________
	COMPLAINT FOR VIOLATION OF (BY jmb DEPUTY)
	Title 8, U.S.C., Section 1326 Attempted Entry After Deportation (Felony)

'08 MJ 2678

The undersigned complainant being duly sworn states:

On or about **September 1, 2008**, within the Southern District of California, defendant **Miguel Angel ANGULO**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the **San Ysidro Port of Entry**, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

SIGNATURE OF COMPLAINANT
Alfredo Loperena, Enforcement Officer
U.S. Customs and Border Protection

Sworn to before me and subscribed in my presence, this 2nd day of **September 2008**.

UNITED STATES MAGISTRATE JUDGE

DOA: 9/1/08

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PROBABLE CAUSE STATEMENT

On September 1, 2008, at approximately 1:50 AM, **Miguel Angel ANGULO (Defendant)** attempted illegal entry into the United States from Tijuana, Mexico at the San Ysidro, California Port of Entry through the vehicle primary lanes. Defendant was the driver of green 1999 Chrysler Concord and was accompanied by his girlfriend and 2 minor children. During primary inspection before a Customs and Border Protection Officer (CBPO), Defendant presented his valid California driver's license and made an oral declaration to being a United States Citizen by virtue of birth in Los Angeles, California. Defendant stated to CBPO that he was on his way to Los Angeles, California after spending the weekend in Mexico. CBPO queried Defendant's name and date of birth and received a computer generated referral indicating Defendant was previously removed from the United States. The vehicle and all occupants were referred to secondary for further inspection.

In secondary, Defendant was escorted to a secondary office. Defendant was determined to being a Mexican citizen with no entitlements to enter or reside in the United States. Defendant was queried by ten-digit fingerprint submission on the Integrated Automated Fingerprint Identification System (IAFIS). IAFIS resulted in a positive match to the query, confirming Defendant's identity and linking him to Immigration and FBI records.

Immigration service records including the Enforce Alien Removal Module (EARM) revealed that the Defendant is a citizen of Mexico and has been previously removed from the United States to Mexico. EARM indicates Defendant was ordered deported, excluded or removed by an Immigration Judge from the United States to Mexico on or about January 18, 2005 and most recently deported, excluded or removed to Mexico on or about August 25, 2008. Immigration service records contain no evidence that Defendant has applied or received permission from the United States Attorney General or his designated successor, the secretary of the Department of Homeland Security, to legally seek reapplication for admission into the United States.